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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,857	12/04/2003	Meng Wang	17557-0	7917
23329 7590 09/12/2008 KEAN, MILLER, HAWTHORNE, D'ARMOND, MCCOWAN & JARMAN, L.L.P. ONE AMERICAN PLACE, 22ND FLOOR P.O. BOX 3513 BATON ROUGE, LA 70821				
EXAMINER HUERTA, ALEXANDER Q				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/727,857

Applicant(s)

WANG ET AL.

Examiner

ALEXANDER Q. HUERTA

Art Unit

2623

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7 and 9-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 3, 7, filed 26 June 2008 have been fully considered but they are not persuasive.

On pages 11-12 of the Applicant's Response, applicants argue that Shaw does not teach extracting or searching of semantic content as defined in claims 1 and 5. The Examiner agrees with applicant that Shaw does not teach "extracting or searching of semantic content", as Shaw was relied upon to teach the limitation that it is known in the art to use MP3 compression standards for audio streamed over a network.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 9-10, 12-15, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al. (United States Patent Application Publication 2002/0170062), herein referenced as Chen.

Regarding **claim 1**, Chen discloses "extracting semantic content from the video content [0018]; providing one or more searchable databases storing thereon the semantic content ([0019], [0022], [0023]); initializing a web server (video server 220 using IP protocol) and a media server (multimedia server 222) ([0027]-[0029], Figs 2-3,

i.e. one of ordinary skill would recognize that the video server and media server would be initialized so that they can provide the user with content information); providing a client player to an end user ([0035], [0038], Figs. 4-10); opening a streaming session [Fig. 3, El. 216]; streaming the video content between the media server and client player ([0034], Fig. 3); enabling searching of the one or more searchable databases of semantic content by the end user through manipulation of the client player ([0005], [0022], [0023], Figs. 5-10); selecting by the end user an enhanced feature (extracted multimedia excerpt) represented by selected semantic content ([0040], [0041], Figs. 7-8); modifying the streaming of the video content in response to the enhanced feature ([0036], [0038], Fig. 5, i.e. pause and stop the video data playback); and terminating the streaming session" ([0036], [0038], Fig. 5, i.e. the user can stop playback of video data).

Regarding **claim 5**, Chen discloses "a web server (video server 220) and a media server (multimedia server 222) ([0027]-[0029]), the media server including a production module (media analysis/metadata extraction device 130) configured to extract semantic content from the video content ([0018], [0019], [0025], Fig. 1, i.e. *Merriam Webster's Dictionary* defines "include" to comprise as part of a whole group. The metadata extraction device is in communication with the media server and is required to extract content data to be stored in the media server, which therefore meets the limitation) the media server providing one or more searchable databases storing thereon the semantic content" ([0022], [0023]);

"a client player configured to enable an end user to search the one or more searchable databases of semantic content ([0035], [0038], Figs. 4-10), the client player

further configured to enable the end user to select an enhanced feature represented by selected semantic content" ([0040], [0041], Figs. 7-8); and

"means for initiating, maintaining, modifying and terminating a streaming session between the media server and client player, wherein said modifying is in response to the selected enhanced feature" ([0036], [0038], [0040], [0041], Figs. 1-3, 5, 7-8, i.e. the user can search for relevant video content and upon selecting from the search results, the video can be paused and stopped).

Regarding **claim 9**, Chen discloses that "the semantic content is extracted based on one or more criteria selected from the group comprising color, texture, motion, shape, important objects, performers, directors, keywords, movie category, **scene change information**, story units, audio features and thumbnails" ([0018], [0019], [0022]).

Regarding **claim 10**, Chen discloses that "extracting the semantic content includes one or more operations selected from the group comprising video segmentation, **scene change detection**, key frame extraction, and visual content extraction" ([0018], [0019], [0022]).

Regarding **claim 12**, Chen discloses that "the one or more searchable databases are searchable based on criteria selected from the group comprising keywords, search objects (program field 522), key frame features (video transition and scenes) and audio features (closed caption text)" ([0020], [0022], [0038], [0040], Fig. 5, i.e. the user can search the multimedia database for content specific data).

Regarding **claim 13**, Chen discloses "a search engine operable by the end user to search the one or more databases" ([0038], [0040], [0041], Figs. 5, 7-8).

Regarding **claim 14**, Chen discloses that "the production module (media analysis/metadata extraction device 130) is configured to extract semantic content based on one or more criteria selected from the group comprising color, texture, motion, shape, important objects, performers, directors, keywords, movie category, **scene change information**, story units, audio features and thumbnails" ([0018], [0019], [0022]).

Regarding **claim 15**, Chen discloses that "the production module (media analysis/metadata extraction device 130) is configured to extract the semantic content using one or more operations selected from the group comprising video segmentation, **scene change detection**, key frame extraction, and visual content extraction" ([0018], [0019], [0022]).

Regarding **claim 17**, claim 17 is interpreted and thus rejected for the reason set forth above in the rejection of claim 12. Claim 12 describes a method for providing enhanced features for streamed video content over a network and claim 17 describes an apparatus implementing the method. Thus, claim 17 is rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Li et al. (United States Patent Application Publication 2003/0097661), herein referenced as Li.

Regarding **claim 2**, Chen fails to explicitly disclose that “the video content has been encoded for compression using prior art H263 standards”.

Li discloses that “the video content has been encoded for compression using prior art H263 standards” ([0050], [0051]). Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of using H263 compression standards for streaming video as taught by Li, to improve content-based non-linear control of multimedia playback system of Chen for the predictable result of more accurate motion compensation compared to the older H.261 standard.

Regarding **claim 6**, claim 6 is interpreted and thus rejected for the reason set forth above in the rejection of claim 2. Claim 2 describes a method for providing enhanced features for streamed video content over a network and claim 6 describes an apparatus implementing the method. Thus, claim 6 is rejected.

Claims 3, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Shaw (United States Patent Application Publication 2002/0124098), herein referenced as Shaw.

Regarding **claim 3**, Chen fails to explicitly disclose that “the audio content has been encoded for compression using prior art MP3 standards”.

Shaw discloses "the audio content has been encoded for compression using prior art MP3 standards" [0006]. Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of using MP3 compression standards for streaming audio as taught by Shaw, to improve content-based non-linear control of multimedia playback system of Chen for the predictable result of maximizing audio quality within given bandwidth constraints.

Regarding **claim 7**, claim 7 is interpreted and thus rejected for the reason set forth above in the rejection of claim 3. Claim 3 describes a method for providing enhanced features for streamed video content over a network and claim 7 describes an apparatus implementing the method. Thus, claim 7 is rejected.

Claims 11, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Zetts (United States Patent Application Publication 2002/0033842), herein referenced as Zetts.

Regarding **claim 11**, Chen fails to explicitly disclose that "the extracted semantic content is used to provide a storyboard".

Zetts discloses that "the extracted semantic content is used to provide a storyboard" [0007]. Thus, it would have been obvious to one of ordinary skill in the art to apply the technique of extracting semantic content to be used as storyboards as taught by Zetts, to improve content-based non-linear control of multimedia playback system of Chen for the predictable result of enabling the user to quickly identify the video content.

Regarding **claim 16**, claim 16 is interpreted and thus rejected for the reason set forth above in the rejection of claim 11. Claim 11 describes a method for providing enhanced features for streamed video content over a network and claim 16 describes an apparatus implementing the method. Thus, claim 16 is rejected.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEXANDER Q. HUERTA whose telephone number is (571) 270-3582. The examiner can normally be reached on M-F(Alternate Fridays Off) 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alexander Q Huerta
Examiner
Art Unit 2623

September 3, 2008

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623